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HIGH COURT OF CHHATTISGARH; BILASPUR

Writ Petition No.6477 of 2006

Petitioner

Dr. Rajendra Prasad Shukla, aged about 41 years, S/o. late Shri Rampati Shukla, Chief Executive Officer, Janpad Panchayat, Patthalgaon, Dist. Jashpur (CG), resident of village Dhakhara, Post – Deogaon, Tahsil – Raipur Karkarchuliyan, Dist. Rewa (MP).

Versus

Respondents

1) State of Chhattisgarh, through the Secretary Tribal Welfare Department, D.K.S. Bhawan, Raipur, CG.

2) The Secretary, Panchayat and Rural Development Department, D.K.S. Bhawan, Raipur, CG.

3) The Collector, Jashpur, Dist. Jashpur, CG.

(Writ petition under Article 226 of the Constitution of India for issuance of an appropriate writ in the nature of mandamus/certiorari etc or direction/order or in the like nature etc.)

SB: Hon'ble Mr. Justice Satish K. Agnihotri

Shri Rajesh Pandey counsel for the petitioner.
Shri Sushil Dubey, Govt. Advocate for respondents No. 1 to 3/State.

ORAL ORDER

(Passed on 20TH April, 2007)

1. In the present petition, the petitioner has sought for a direction to the respondents to send back him from Tribal Development Department to Panchayat and Rural Development Department.

2. The respondents/State in its return dated 16-3-2007 has categorically stated that the deputation of the petitioner was revoked and he has been sent back to his parent department i.e., Panchayat and Rural Development Department.

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3. Learned counsel appearing for the petitioner in view of the statement made by the respondents/State in its return, submits that so far as prayer 7.2 is concerned, he is satisfied and nothing survives.

4. With regard to prayer 7.1, wherein the petitioner has sought for a direction to the respondents to give the posting order with work and regular salary to him along with back wages with interest is concerned, learned counsel appearing for the respondents/State submits that in view of the stand of the State/respondents that the petitioner has been sent back to the parent department i.e., Panchayat and Rural Development Department, there is no difficulty in giving him the posting order and the payments of arrears of his salary. Thus, second prayer also does not survive.

5. Accordingly, respondents are directed to pass appropriate posting order with payment of salary which has not been paid may be on account of certain technicalities.

6. With the aforesaid observation and direction, this petition is disposed of.

Sd/-
Satish K. Agnihotri
Judge

Raju